

§ 304.1

(f) *Letter of objection.* If the FDIC determines, in its discretion, that the proposed conversion poses a risk to the institution's safety and soundness, violates any law or regulation or presents a breach of fiduciary duty, then the FDIC shall issue a letter to the institution stating its objection(s) to the proposed conversion and advising the institution that the conversion shall not be consummated until such letter is rescinded. A copy of the letter of objection shall be furnished to the institution's primary state regulator and any other state or federal banking and/or securities regulator involved in the conversion. The letter of objection shall advise the institution of its right to petition the FDIC for reconsideration under §303.6(e). Such action shall not, in any way, prohibit the FDIC from taking any other action(s) that it may deem necessary.

(g) *Consummation of the conversion.* An institution may consummate the proposed conversion upon either:

(1) The receipt of a notice of intent not to object; or

(2) The expiration of the 60-day period following acceptance of a complete notice by the FDIC or the 20-day period after the last applicable state or other federal regulator has acted on the proposed conversion, whichever is later, unless the FDIC issues a notice of objection before the end of that period and, in which case, the conversion shall not be consummated until such letter is rescinded. The FDIC may, in its discretion, extend by written notice to the institution the initial 60-day period by an additional 60 days.

[59 FR 61245, Nov. 30, 1994]

PART 304—FORMS, INSTRUCTIONS AND REPORTS

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APPENDIX A TO PART 304—LIST OF FORMS

APPENDIX B TO PART 304—FEDERAL DEPOSIT
INSURANCE CORPORATION REGIONAL OF-
FICES—BANK SUPERVISION

12 CFR Ch. III (1-1-97 Edition)

AUTHORITY: 5 U.S.C. 552; 12 U.S.C. 1817, 1818, 1819, 1820; Public Law 102-242, 105 Stat. 2251 (12 U.S.C. 1817 note).

SOURCE: 51 FR 36684, Oct. 15, 1986, unless otherwise noted.

§ 304.1 Purpose and scope.

This part is issued under section 552 of title 5 of the United States Code (5 U.S.C. 552), which requires that each agency shall make available to the public information pertaining to the description of forms available or the places at which forms may be obtained, and instructions as to the scope and content of reports and other submittals. The forms mentioned in this part are limited to those which are not already mentioned elsewhere within the rules and regulations of the Federal Deposit Insurance Corporation. However, appendix A to this part lists all forms required by the FDIC and identifies the sections of FDIC's regulations where the forms are referenced.

§ 304.2 Forms and instructions—general.

Necessary forms with their related instructions to be used in connection with applications, reports, and other submittals can be obtained from FDIC regional offices—bank supervision. Appendix B to this part lists FDIC regional offices—bank supervision.

§ 304.3 Certified statements.

The certified statements required to be filed by insured depository institutions under the provisions of section 7 of the Federal Deposit Insurance Act as amended (12 U.S.C. 1817) shall be filed in accordance with part 327 of this chapter. The applicable forms are as follows:

(a) *Form 6420/07: Certified Statement.* Form 6420/07 shows the computation of the semiannual assessment due to the Corporation from an insured depository institution. As provided for in part 327 of this chapter, the form will be furnished to insured depository institutions by the Corporation twice each calendar year and the completed statement must be returned to the Corporation by each institution, except that newly insured institutions must submit their first certified statement on Form 6420/10.